

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES OF AMERICA

§

§

VS.

§

Criminal Action H-20-CR-00455

ZHENGDONG CHENG

§

§

**ZHENGDONG CHENG'S 2ND SUPPLEMENT TO
MOTION FOR REVOCATION OF DETENTION ORDER**

TO THE HONORABLE UNITED STATES DISTRICT JUDGE ANDREW S. HANEN:

ZHENDONG CHENG, Defendant, ("Dr. Cheng") supplements his *Opposed Motion for*

Revocation of Detention Order and shows:

Attached is a letter from the Chair of the Committee on Human Rights of the National Academies of Sciences, Engineering, and Medicine in support of Dr. Cheng. *See* Ex. A.

CONCLUSION

Dr. Cheng requests the Court set this matter for a hearing, to grant the Motion, revoke the detention order, and release him upon appropriate conditions.

Respectfully Submitted,

HILDER & ASSOCIATES, P.C.

/S/ Q. Tate Williams

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument has been served upon the Assistant United States Attorney for the government herein, via ECF contemporaneous with filing.

/S/ Q. Tate Williams
Quentin Tate Williams

The National Academies of
SCIENCES • ENGINEERING • MEDICINE

COMMITTEE ON HUMAN RIGHTS

MARTIN CHALFIE†

Chair

Columbia University

MARY JANE WEST-EBERHARD

Vice Chair

Smithsonian Tropical Research Institute

CHRIS BEYRER

Johns Hopkins University

JOHN CARLSON

Yale University

CHRISTINE CASSEL

University of California, San Francisco

MICHAEL CLEGG

University of California, Irvine

CARLOS DEL RIO*

National Academy of Medicine
Foreign Secretary

VANESSA NORTHINGTON GAMBLE

The George Washington University

JOHN HILDEBRAND*

National Academy of Sciences
Foreign Secretary

JOHN KASSAKIAN

Massachusetts Institute of Technology

MICHAEL KATZ

Columbia University
Stanford University

ANTHONY LEGGETT†

University of Illinois at
Urbana-Champaign

ELAINE ORAN

Texas A&M University

ELSA REICHMANIS

Lehigh University

JAMES M. TIEN*

National Academy of Engineering
International Secretary

† Nobel Laureate

* ex officio member

The views expressed are those of the
Committee on Human Rights.

March 29, 2021

Judge Andrew S. Hanen
US District Court
515 Rusk Street
Houston, Texas 77006

Your Honor:

I am writing to you as the Chair of the Committee on Human Rights (CHR) of the U.S. National Academies of Sciences, Engineering, and Medicine (National Academies) to express concern about our colleague, Dr. Zhengdong Cheng, a physicist and U.S. citizen formerly based at Texas A&M University who has been held for eight months without bond in a federal detention center in Houston. The CHR, a standing committee composed of members of the National Academies and assisted by more than 1,500 other Academy members, supports at-risk professional colleagues around the world.

It is our understanding that Dr. Cheng is facing criminal charges as a consequence of having allegedly failed to provide accurate information about his affiliations with Chinese institutions as required under a NASA grant. The CHR came to learn of Professor Cheng's case from members of the National Academies who have worked with him over the course of many years and respect him greatly. They, like our committee, are concerned about the possible overzealous targeting and profiling of scientists of Asian descent under the Department of Justice's China Initiative. As I am sure you are aware, the China Initiative was established to counter threats to U.S. national security emanating from China, including economic espionage and theft of trade secrets. However, many of the researchers investigated and prosecuted under this initiative, like Dr. Cheng and numerous other scientists of Asian descent, are facing substantial prison sentences not as a result of alleged national security offenses but instead due to alleged misstatements and omissions during grant processes.

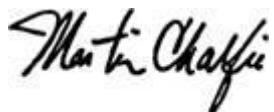
Dr. Cheng is the only colleague of whom we are aware who is currently being held in pre-trial detention in connection with the China Initiative. We understand that Dr. Cheng's eight-month detention has made it difficult for him to prepare an effective defense due to delayed communications between him and his lawyers. Such delays have been exceptionally problematic in his case given that his assistance is needed in reviewing the extensive evidence seized by U.S. authorities, much of which is in Chinese.

Our committee's concern regarding Dr. Cheng's continued detention is heightened due to the dangers presented by the ongoing pandemic. He has already contracted COVID-19 during his time in the detention center, and he is at significant risk for re-infection, particularly due to the emergence of COVID-19 variants.

We understand that Dr. Cheng has moved the court to revoke the detention order in his case and to release him pending trial to a third party custodian with a secured bond, electronic monitoring, and other conditions that the court deems appropriate. In light of the above-mentioned concerns regarding Dr. Cheng's detention and the detailed plan for his conditional release, we would be grateful for your positive consideration of Dr. Cheng's motion.

Thank you in advance for your kind attention to this important matter.

Yours sincerely,



Martin Chalfie, Ph.D.
(2008 Nobel Laureate, Chemistry)